

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver for  
Washington Mutual Bank,

Plaintiff,

Case No. 14-13706

v.

Hon. John Corbett O'Meara

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, Successor by Merger to  
Lawyers Title Insurance Corporation,

Defendant.

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**ORDER DENYING MOTION  
FOR RECONSIDERATION**

Before the court is Defendant's motion for reconsideration of the court's  
January 3, 2017 order denying Defendant's second motion for summary judgment.

The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion,  
the court will not grant motions for rehearing or  
reconsideration which merely present the same issues  
ruled upon by the court, either expressly or by reasonable  
implication. The movant shall not only demonstrate a  
palpable defect by which the court and the parties have  
been misled but also show that correcting the defect will  
result in a different disposition of the case.

LR 7.1(h)(3). A motion for reconsideration "is not properly used as a vehicle to re-

hash old arguments or to advance positions that could have been argued earlier but were not.” Smith v. Mount Pleasant Schools, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (citing Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 357, 374 (6<sup>th</sup> Cir. 1998)).

In its motion for reconsideration, Defendant re-argues matters already ruled upon by the court, expressly or by implication

Accordingly, IT IS HEREBY ORDERED that Defendant’s motion for reconsideration is DENIED.

s/John Corbett O’Meara  
United States District Judge

Date: January 23, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, January 23, 2017, using the ECF system.

s/William Barkholz  
Case Manager